

**CONTINUING APPLICATION TRANSMITTAL UNDER RULE 1.53(b)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Customer No. 004372
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036-5339
Telephone: (202) 857-6000
Facsimile: (202) 638-4810

Docket No. 026220-00043

Date: December 17, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is a

☐ Continuation ☒ Divisional ☐ Continuation-in-Part

application of prior pending Application No. 10/151,955, filed May 22, 2002,

For (Title): NITRIC ESTERS AND NITRATE SALTS OF SPECIFIC DRUGS

By (Inventor): Piero DEL SOLDATO

1. ☒ A Declaration and Power of Attorney is attached. The attached Declaration and Power of Attorney is:
 - ☒ a. A copy of the Declaration and Power of Attorney from the parent application. (Used with the same or fewer inventors and (a) a copy of the prior application or (b) a revised, reformatted or edited version of the prior application that does not contain new matter.)
 - ☐ b. A new Declaration and Power of Attorney. (Used with the same, fewer or additional inventors and (a) a copy of the prior application, (b) a revised, reformatted or edited version of the prior application that does not contain new matter, or (c) a new specification.)
2. ☒ The filing fee based on entry of the concurrently filed Preliminary Amendment is calculated below:

**CLAIMS IN THE APPLICATION AFTER ENTRY OF
ANY PRELIMINARY AMENDMENT NOTED BELOW**

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	25 - 20	= 5
INDEP CLAIMS	1 - 3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

* If the difference is less than zero, enter "0".

SMALL ENTITY

RATE	FEE
	\$ 385
× 9 =	\$ 45
× 42 =	\$
+140 =	\$
TOTAL	\$ 430

**OTHER THAN A
SMALL ENTITY**

RATE	FEE
	\$770.00
× 18	\$
× 84	\$
+280	\$
TOTAL	\$

3. ☒ A Check in the amount of \$430.00 to cover the filing fee is attached.
4. ☒ The Commissioner is hereby authorized to charge any other fees that may be required to complete this filing, or to credit any overpayment, to Deposit Account No. 01-2300, referring to client-matter number 026220-00021.
5. ☒ Cancel claims 1-11 of the application before calculating the filing fee. At least one independent claim is retained for filing purposes.
6. ☒ Amend the specification by inserting before the first line the sentence:

--This is a Divisional of Application No. 10/151,955 filed May 22, 2002, which is a Divisional of Application No. 09/734,808 filed January 22, 2001, which is a 371 of International Application No. PCT/EP99/05171, filed July 20, 1999. The disclosures of the prior applications are hereby incorporated by reference herein in their entireties. --

Amend --haas-- on page 8, line 12 to --has--.

7. ☐ Formal drawings (Figs. _____) are attached.
8. ☒ Priority of foreign application No. MI98 A 001743 filed July 28, 1998 in Italy is claimed under 35 U.S.C. §119 and/or §365(b).
9. ☒ The certified copy was filed with the International Bureau and acknowledged in the Notice of Allowability dated February 15, 2002, in parent Application No. 09/743,808.
10. ☐ A certified copy of the above foreign application(s) is attached.
11. ☐ Priority of U.S. Provisional Application(s) No. _____ filed _____ is claimed under 35 U.S.C. §119(e).
12. ☐ Amend the specification by inserting before the first line the sentence:
--This nonprovisional application claims the benefit of U.S. Provisional Application(s) No. _____ filed _____. --
13. ☒ The prior application is assigned of record to Nicox S.A. recorded at Reel 011500, Frames 0355-0356 on January 22, 2001.
14. ☐ This application is filed by fewer than all the inventors named in the prior application (37 C.F.R §1.53(b)(1)). Delete the following inventor(s) named in the prior application:
15. ☒ A Preliminary Amendment is attached.
16. ☒ An Information Disclosure Statement is attached along with Form PTO-1449.
17. ☒ Small entity status:
- ☐ a. A small entity statement is attached.
- ☒ b. A small entity statement was filed in the parent application and such status is still proper and desired.
- ☐ c. Small entity status is no longer claimed.
18. ☐ Other: _____
19. ☒ The Power of Attorney in the application is to:

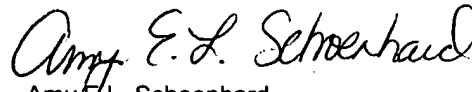
Anderson, Lynne D., Reg. No. 46,412
Barton, Rhonda L., Reg. No. 47,271
Berman, Richard J., Reg. No. 39,107
Carlan, Janine, Reg. No. 42,387
Carpenter, Robert K., Reg. No. 34,794
Chesser, Wilburn, Reg. No. 41,668
Crosby, Hans J., Reg. No. 44,634
Hill, Rustan J., Reg. No. 37,351
Ho, Raymond J., Reg. No. 41,838
Hsu, John, Reg. No. 45,563

Huang, Sam, Reg. No. 48,430
Jenkins, Marylee, Reg. No. 37,645
Loughlin, Leo, Reg. No. 42,811
Marmelstein, Charles M., Reg. No. 25,895
Murphy, Christopher, Reg. No. 39,786
Oram, George, E., Jr., Reg. No. 27,931
Ozgu, Murat, Reg. No. 44,275
Schoenhard, Amy, Reg. No. 46,512
Stahnke, Sarah, Reg. No. 54,854
Sundararajan, Bala, Reg. No. 50,900
Wong, King, Reg. No. 37,500

20. ☒ Address all future communications to:

CUSTOMER No. 004372
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 CONNECTICUT AVENUE, N.W., SUITE 400
WASHINGTON, D.C. 20036-5339

Respectfully submitted,



Amy E.L. Schoenhard
Registration No. 46,512

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810

ALS:ksm